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JUN 27 2005

FAX TRANSMITTAL SHEET  
KLAUBER & JACKSON  
ATTORNEYS AT LAW  
CONTINENTAL PLAZA  
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HACKENSACK, NJ 07601

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(201) 343-7544

TO : USPTO  
Office of Initial Patent Examination

FROM : David A. Jackson, Esq.

RE : Serial No. 10/509,975  
Our File: 2543-1-036PCT/US  
REQUEST FOR CORRECTED FILING RECEIPT

DATE : June 27, 2005

FAX NO. : 703-746-9195

**TOTAL NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 10**

**MESSAGE:**

Following is a copy of our Request for Corrected Filing Receipt, which was filed to the USPTO on April 27, 2005, requesting correction to the TITLE of the patent application. We have included copies our original return receipt post card; the "stamped" post card received back from the USPTO reflecting receipt on 4/29/05; copy of the first page of the Int'l Search Report, copy of our Transmittal Letter filed with the application on 10/1/2004 and copy of the Official Filing Receipt with the incorrect TITLE.

**Kindly issue a Corrected Filing Receipt, reflecting the correct TITLE of the patent to read:  
SC6 FOR DIAGNOSIS of HYPOXIA RELATED CONDITIONS.**

**NOTE:** The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (201-487-5800) and return the original transmission to us by mail without making a copy.

Serial No. 10/509,975 2543-1-036PCT US DAJ/kg *4/27/05*  
Title SC6 FOR DIAGNOSIS OF HYPOXIA RELATED CONDITIONS  
In the Matter of the Application of Sonal Patel  
The following was received in the U.S. Patent & Trademark Office on the date stamped hereon: Via First Class Mail

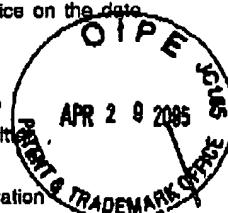
**REQUEST FOR CORRECTED FILING RECEIPT**

Transmittal Sheet/Cover Ltr.

Application For Patent  
 Declaration  Affidavit  
 Drawings  Sheet(s)  
 S.E. Verified Statements  
 Assignment  
 Check for \$ \_\_\_\_\_  
 Letter  Missing Parts  
 Priority Document  
 Amendment  Response

Extension of Time  
 Issue Fee Transmitter  
 Maintenance Fee  
 Appln. TM Registration  
 8 & 15 Declaration  
 Renewal Application  
 Notice of Appeal  
 Brief  Petition  
 Power of Attorney

Copy of Filing Receipt with corrections in red; copy ISR, copy Transmittal Ltr to PCT



Serial No. 10/509,975 2543--036PCT/US  
File No. \_\_\_\_\_ By DAJ/kg

Title SC6 FOR DIAGNOSIS OF HYPOXIA RELATED CONDITIONS

In the Matter of the Application of Sonal Patel

The following was received in the U.S. Patent & Trademark Office on the date

stamped hereon: Via First Class  
REQUEST FOR CORRECTED FILING

Transmittal Sheet/Cover Ltr.  
 Application For Patent  
 Declaration  Affidavit  
 Drawings  Sheet(s)  
 S.E. Verified Statements  
 Assignment  
 Check for \$ \_\_\_\_\_  
 Letter  Missing Parts  
 Priority Document  
 Amendment  Response

Mail  
RECEIPT  
 Extension of Time  
 Issue Fee Transmittal  
 Maintenance Fee  
 Appn. TM Registration  
 8 & 15 Declaration  
 Renewal Application  
 Notice of Appeal  
 Brief  Petition  
 Power of Attorney  
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correction in red;copy ISR,  
copy Transmittal Ltr to PCT

Mailed 4/27/05

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JUN 27 2005

Attorney Docket No.: 2543-1-036PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Sonal Patel  
SERIAL NO. : 10/509,975  
FILED : March 30, 2005  
FOR : SC6 FOR DIAGNOSIS OF HYPOXIA RELATED CONDITIONS

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on April 27, 2005.

Karen Garipoli  
(Name of Person Mailing)

*Karen Garipoli* : 4/27/05  
(Signature and Date)

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Formal Filing Receipt be issued to correct the title in the above-identified Application.

Please correct the title from "Protein For Use in Hypoxia Related Conditions" to

-- SC6 FOR DIAGNOSIS OF HYPOXIA RELATED CONDITIONS--

as it appears on the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, filed on October 1, 2004, which is the title as established by the International Search Report, Form PCT/ISA/210, a copy of which was also filed with the application on October 1, 2004. Copies of the Transmittal Letter and International Search Report Form PCT/ISA/210 are attached herewith.

A copy of the filing receipt with the requested correction marked in red is also

Attorney Docket No.: 2543-1-036PCT/US

Applicants accordingly request that the records of the U.S. Patent and Trademark Office be corrected to reflect the correct title of the present application.

Respectfully submitted,



\_\_\_\_\_  
David A. Jackson, Esq.  
Attorney for Applicant  
Registration No. 26,742

KLAUBER & JACKSON  
411 Hackensack Avenue  
Hackensack, NJ 07601  
(201) 487-5800  
Enclosures

## PATENT COOPERATION TREATY

PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

**COPY**

Applicant's or agent's file reference <b>P014-W001</b>	<b>FOR FURTHER ACTION</b> <small>see Notification of transmittal of International Search Report (Form PCT/ISA/210) as well as, where applicable, Item 5 below.</small>	
International application No. <b>PCT/GB 03/01443</b>	International filing date (day/month/year) <b>02/04/2003</b>	(Earliest) Priority Date (day/month/year) <b>02/04/2002</b>
Applicant <b>OXFORD GLYCOSCIENCES (UK) LTD</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of **8** sheets.

It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item:
  - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:
  - contained in the international application in written form,
  - filed together with the international application in computer readable form,
  - furnished subsequently to this Authority in written form,
  - furnished subsequently to this Authority in computer readable form,
  - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished,
  - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2.  Certain claims were found unsearchable (See Box I).

3.  Utility of invention is lacking (see Box II).

## 4. With regard to the title,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:  
**SCS FOR DIAGNOSIS OF HYPOXIA RELATED CONDITIONS**

## 5. With regard to the abstract,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 33.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

## 6. The figure of the drawing to be published with the abstract is Figure No.

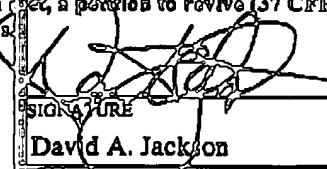
- as suggested by the applicant.
- because the applicant failed to suggest a figure.
- because this figure better characterizes the invention.

None of the figures.

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1360 (REV. 10-2003)		ATTORNEY'S DOCKET NUMBER <b>2543-1-036PCT/US</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		
INTERNATIONAL APPLICATION NO. <b>PCT/GB2003/001443</b>	INTERNATIONAL FILING DATE <b>APRIL 2, 2003</b>	PRIORITY DATE CLAIMED <b>APRIL 2, 2002</b>
TITLE OF INVENTION <b>SC6 FOR DIAGNOSIS OF HYPOXIA RELATED CONDITIONS</b>		
APPLICANT(S) FOR DO/EO/US <b>SONAL PATEL</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <b>UNEXECUTED</b></p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: DRAWINGS - 7 SHEETS - FIGS. 1-7; COPY OF INT'L SEARCH REPORT; COPY OF PCT/REQ FORM; COPY NOTIFICATION OF TRANSMITTAL OF PRIORITY DOCUMENT; SEQUENCE LIST-PAPER COPY; SEQ STATEMENT IN SUPPORT OF DISK.</p>		
EXPRESS MAIL NO.: EV 226648005 US		DATE OF DEPOSIT: OCTOBER 1, 2004

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U.S. APPLICATION NO. (if known, see 37 CFR 1.1)		INTERNATIONAL APPLICATION NO. PCT/GB2003/001443	ATTORNEY'S DOCKET NUMBER 2543-1-036PCT/US
<p><input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (3)):</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....</p>		<b>CALCULATIONS PTO USE ONLY</b>	
		\$1080.00	
		\$920.00	
		\$770.00	
		\$730.00	
		\$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>\$ 920.00</b>	
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RA
Total claims	19 - 20 = 0	x \$0.00	\$ 0 . 0
Independent claims	3 - 3 = 0	x \$0.00	\$ 0 . 0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$25.00	\$ 0 . 0
<b>TOTAL OF ABOVE CALCULATIONS</b>		<b>\$ 920.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ N/A	
<b>SUBTOTAL</b>		<b>\$ 920.00</b>	
<p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>		\$	
<b>TOTAL NATIONAL FEE</b>		<b>\$ 920.00</b>	
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.</p>		\$	
<b>TOTAL FEES ENCLOSED</b>		<b>\$ 920.00</b>	
		Amount to be refunded: \$	
		Charged: \$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>920.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>11-1153</u> in the amount of \$ <u>          </u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-1153</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.493 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p>			
<p>SEND ALL CORRESPONDENCE TO:</p> <p><b>DAVID A. JACKSON</b>  <b>KLAUBER &amp; JACKSON</b>          411 Hackensack Avenue, 4th Fl.          Hackensack, NJ 07601          (201) 487-5800</p>			
<p><b>SIGNATURE</b>    <b>NAME</b>          David A. Jackson  <b>NAME</b>          26,742  <b>REGISTRATION NUMBER</b></p>			

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/509,975	03/30/2005	1645	1080	2543-1-036PCT/US	7	19	3

23565  
 KLAUBER & JACKSON  
 411 HACKENSACK AVENUE  
 HACKENSACK, NJ 07601

CONFIRMATION NO. 3823  
 FILING RECEIPT

\*OC000000015759686\*

Date Mailed: 04/21/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Sonal Patel, Abingdon, Oxfordshire, GBN, UNITED KINGDOM;

**Power of Attorney:** The patent practitioners associated with Customer Number 23565.**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/GB03/01443 04/02/2003

**Foreign Applications**

UNITED KINGDOM 0207533.1 04/02/2002

**Projected Publication Date:** 07/26/2005**Non-Publication Request:** No

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**Early Publication Request:** No

CORRECT TITLE TO READ:

Title SC6 For Diagnosis of  
Protein for use in hypoxia related conditions

(P)

**Preliminary Class**

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435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10(i)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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